

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

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**TWENTY-FIFTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 5, 2009**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Davis, LeFavour, and Werk, absent and formally excused by the Chair.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Jaimie Schaneman, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 5, 2009

The JUDICIARY AND RULES Committee reports that [S 1061](#) has been correctly printed.

DARRINGTON, Chairman

[S 1061](#) was referred to the Transportation Committee.

February 4, 2009

The JUDICIARY AND RULES Committee reports that [S 1016](#) has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled [S 1016](#) and ordered it transmitted to the House for the signature of the Speaker.

February 4, 2009

The JUDICIARY AND RULES Committee reports out [S 1006](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, [S 1006](#) was referred to the Fourteenth Order of Business, General Calendar.

February 4, 2009

The JUDICIARY AND RULES Committee reports out [S 1047](#), [S 1048](#), and [S 1042](#) with the recommendation that they do pass.

DARRINGTON, Chairman

[S 1047](#), [S 1048](#), and [S 1042](#) were filed for second reading.

February 4, 2009

The RESOURCES AND ENVIRONMENT Committee reports out [S 1002](#) with the recommendation that it do pass.

SCHROEDER, Chairman

[S 1002](#) was filed for second reading.

President Little assumed the Chair.

February 5, 2009

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 3](#) and [H 4](#) with the recommendation that they do pass.

HILL, Chairman

[H 3](#) and [H 4](#) were filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### **S 1062 BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO DISPOSITION OF HUMAN REMAINS; AMENDING SECTION 54-1139, IDAHO CODE, TO APPLY CITED IDAHO CODE PROVISIONS IN THE ABSENCE OF PROVISIONS REGARDING DISPOSITION OF REMAINS IN A PREARRANGED FUNERAL PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1141, IDAHO CODE, TO PROVIDE A CODE

CROSS-REFERENCE AND TO PROVIDE FOR ALTERNATE ARRANGEMENTS THAT DO NOT CONFLICT WITH THE DECEASED'S INSTRUCTIONS; AND AMENDING SECTION 54-1142, IDAHO CODE, TO PROVIDE FOR DISPOSITION OF A PERSON'S REMAINS THAT IS NOT CLEARLY COVERED IN A PREARRANGED FUNERAL PLAN.

**S 1063**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE IDAHO COMMUNITY HEALTH CENTER GRANT PROGRAM; AMENDING SECTION 39-3203, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 39-3206, IDAHO CODE, TO REVISE THE GRANT PROCESS SCHEDULE.

**S 1064**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO DEAD HUMAN BODIES; REPEALING SECTION 54-1119, IDAHO CODE, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF HEALTH AND WELFARE TO CONTROL HANDLING OF DEAD HUMAN BODIES AND AUTHORIZATION OF RULES AND REGULATIONS.

**S 1065**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO REGIONAL MENTAL HEALTH BOARDS; AMENDING SECTION 39-3130, IDAHO CODE, TO REVISE THE MEMBERSHIP OF THE BOARDS AND TO PROVIDE FOR PARENT MEMBER SELECTION PROCESS; AND AMENDING SECTION 39-3132, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE BOARDS.

**S 1066**

**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO THE IDAHO WHOLESALE DRUG DISTRIBUTION ACT; AMENDING SECTION 54-1752, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1755, IDAHO CODE, TO REVISE THE CONTENTS OF A PEDIGREE; AND DECLARING AN EMERGENCY.

[S 1062](#), [S 1063](#), [S 1064](#), [S 1065](#), and [S 1066](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

[S 1017](#), by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

[S 1015](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 31.

NAYS—Bock. Total - 1.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1015](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1003](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1003](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1004](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKague arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1004](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1007](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1007](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1018](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1018](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1019](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Lodge, Sagness (Malepeai), McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, LeFavour, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1019](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Friday, February 6, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary